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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,042	12/27/2001	Allan Stuart Algazi	1071X	9949
7590	03/13/2006		EXAMINER	
MARK I. KOFFSKY SYMBOL TECHNOLOGIES, INC. ONE SYMBOL PLAZA, MS/A6 HOLTSVILLE, NY 11742			BASS, JON M	
			ART UNIT	PAPER NUMBER
			3639	
DATE MAILED: 03/13/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/033,042	ALLAN STUART ALGAZI
	<b>Examiner</b>	<b>Art Unit</b>
	Jon Bass	3639

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 27 December 2001.
- 2a) This action is **FINAL**.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,2,7-11,14,19-23 and 28-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-2, 7-11, 14, 19-23, 28-37 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_

**DETAILED ACTION**

**STATUS OF CLAIMS**

1. Claims 3-6, 12-13, 15-18, 24-27 are cancelled. New Claims have been added. Claims 28-32-33-35 and 36-37 have been added. Claims 1, 9 and 20 have been amended.

**Response to Amendment**

2. In regard to claim 1, Applicant argues that Bianco (6,256,737) fails to teach, "scanning a two dimensional bar code that has been associated with the package" and "decoding the two-dimensional bar code to obtain the biometric information". The Examiner would like to note that an additional reference is being introduced to further explain the similarities between the two inventions. Dennis Priddy (WO 96/03286) discloses a method and system and articles for creating and authenticating self-verifying articles. Priddy further explains in great detail, taking a sample of biometric information to be used is obtained from the person (user), page 2, lines 31-35. Priddy further discloses the when a persons (user) identity is needed to be verified, the user must present the memory device at a decodation site, located on page 3, lines 1-8. Priddy mentions on page 2, lines 9-12, that a sample of biometric

information is then obtained by the user placing a particular physical feature upon the input scanning device.

3. In regard to claims 7-8 and 21-22, Claims 7-8 depend from independent claim 1. Claims 21-22 depend from independent claim 20. For the reasons mentioned previously and theretofore, the rejections remain due to the additional referenced (Priddy) introduced.

4. In regard to claims 9-19, Applicant argues that Bianco fails to teach or suggest all of the elements recited in the rejected claims. The Examiner note that an additional referenced has been introduced.

5. New claims have been added. Claims 28-32, 33-35 and 36-37 have been added.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the

subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 7, 8-11, 14, 19-23, and 28-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dennis Priddy (WO 96/03286) hereinafter referenced as Priddy in view of US Patent Number 5,869,819, Knowles et al.

**As Per Claim 1:**

Priddy discloses a method of sending a package, comprising previously provided biometric information of an intended receiver, [{page 3, lines 9-12}], the read code and the just sampled biometric information is compared by a machine to determine authenticity], and receiving current biometric information from the receiver and comparing the current biometric information to the previously provided biometric information; [{page 3, lines 9-12}], the read code and the just sampled biometric information is compared by a machine to determine authenticity], and providing the package to the receiver if the receiver's current biometric information is equivalent to the receiver's previously provided biometric information, [{page 3, lines 9-12}]

12}, the read code and the just sampled biometric information are compared by a machine to determine the authenticity, display that authenticity has to be determined in order for the package to be received by the receiver]; but Priddy does not explicitly mention scanning a two-dimensional bar code that is associated with the package, wherein the two dimensional bar code is encoded with previously provided biometric information of an intended receiver, or decoding the two-dimensional bar code to obtain the receiver's previously provided biometric information; and,

However Knowles teaches scanning a two-dimensional bar code, [{Figure 8}, 2D URL encoded barcode PDF417] that is associated with the package, wherein the two dimensional bar code is encoded with previously provided biometric information of an intended receiver, [{Figure 8}, 2D URL encoded barcode PDF417], and decoding the two-dimensional bar code to obtain the receiver's previously provided biometric information, [{col.5, lines 48-50}, Internet Scanning Terminal used for decoding URL code]. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to include a two-dimensional bar-code which includes biometric data with motivation to improve handling packages by incorporating bar-code technology.

**As Per Claim 2:**

Priddy discloses the method wherein the use receiver's previously provided biometric information and the receiver's current biometric information include data related to at least the receiver's fingerprint, the receiver's handprint, the receiver's voice print, the receiver's facial features, and the receiver's signature, [{page 4, lines 1-21}], subset of the biometric data set, graphic image of a personal characteristics considered unique to a particular individual for a finger print, photo, signature]

**As Per Claim 7:**

Priddy discloses the method wherein the receiving current biometric information is accomplished by:

affixing the receiver's signature to a signature bar code; [{page 4, lines 1-21}], labels affixed to a package surfaces including signature etc].

and scanning the signature bar code, [{page 2, lines 34-36}], scanning input device].

**As Per Claim 8 and 19:**

Priddy discloses on [{page 3, lines 1-5}], that information is then encoded to form a code which is stored to a portable memory device, but does not explicitly disclose the two-dimensional bar code utilizes the PDF 417 symbology.

However Knowles teaches a method wherein the two-dimensional bar code utilizes the PDF 417 symbology, [{figure 8}], 2D URL encoded bar code sysmbol PDF 417]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate a two-dimensional bar-code for encompassing biometric data, with motivation to improve mail handling through bar code technology.

**As Per Claim 9:**

Priddy discloses an apparatus for delivering goods, comprising:

- a notifier for notifying a user electronically that a package has arrived at a predetermined location {page 3, lines 31-36}, verify the authenticity of the article at a remote access sites by communication to central location];
- a collector for collecting the user's current biometric information, [{page 2, lines 30-36}], a sample of biometric information];

a comparator for comparing the user's current biometric information and the user's previously provided biometric information the package being provided to the user when the user's current biometric information matches the previously provided biometric information.; [{page 3, lines 11-12}], the read code and the just sampled biometric information are compared to determine authenticity], but does not explicitly disclose:

a scanner for scanning a two-dimensional bar code that is associated with the package, the two dimensional bar code encoding previously provided biometric information relating to the user's identification,

a decoder for decoding the user's previously provided biometric information from the two-dimensional bar code.

However Knowles discloses a scanner for scanning a two-dimensional bar code, [{col.5, lines 48-50}], Internet Scanning Terminal used for decoding URL barcode] that is associated with the package, the two dimensional bar code encoding previously provided biometric information relating to the user's identification,

a decoder for decoding the user's previously provided biometric information from the two-dimensional bar code, [{col.5, lines 48-50}], Internet Scanning Terminal used for decoding URL barcode]. Therefore, it would have been obvious to one having

ordinary skill in the art at the time the invention was made to incorporate a two-dimensional bar-code for encompassing biometric data, with motivation to improve mail handling through bar code technology.

**As Per Claim 10:**

Priddy discloses the apparatus further comprising: a presenter for presenting the package for visual inspection by the user prior to providing the package to the user, [{page 8, lines 10-15}, self verifying article].

**As Per Claim 14:**

Priddy discloses the apparatus wherein the user's previously provided biometric information and the user's current biometric information include data related to at least one of the user's fingerprint, the user's handprint, the user's voiceprint, the user's facial features, and the user's signature, [{page 4, lines 1-21}, subset of the biometric data set, graphic image of a personal characteristics considered unique to a particular individual for a finger print, photo, signature]

**As Per Claim 20:**

Priddy discloses a method of establishing a service for package delivery, comprising: receiving biometric information and select recipient information from a user, [{page 3, lines 9-11} a sample of biometric information then obtained by the person]; encoding the biometric information and the recipient information but does not explicitly disclose: a two-dimensional bar code, the two dimensional bar code capable of being electronically transmitted to a recipient and decoded to recover at least the user's previously provided biometric information, [{page 2, lines 30-36}], a sample of biometric information to be used is obtained from encodation and {page 3, line 1-6}, information is encoded to form a code stored in the memory].

However Knowles discloses a the two dimensional bar code, [{Figure 8}] capable of being electronically transmitted to a recipient and decoded to recover at least the user's previously provided biometric information, {Figure 8}. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate a two-dimensional bar-code for encompassing biometric data, with motivation to improve mail handling through bar code technology.

**As Per Claim 21:**

Priddy discloses the method further comprising:

receiving a request from a package provider to obtain the recipient information wherein the request is in response to the user ordering a package ;

providing the package provider with the previously; stored notifying the user electronically that the package has arrived at a location that corresponds with the previously stored recipient information , [{page 3, lines 1-5}, when a persons identity needs to be verified, the person (user) presents the device].

**As Per Claim 23:**

Priddy discloses the method wherein the biometric information includes data related to at least one of the user's facial features, the user's voiceprint, the user's fingerprint, the user's signature, and the user's handprint , [{page 4, lines 1-21}, subset of the biometric data set, graphic image of a personal characteristics considered unique to a particular individual for a finger print, photo, signature].

**As Per Claim 28, 34 and 35:**

Priddy discloses the method wherein the biometric information includes data related to at least one of the user's facial features but does not explicitly disclose wherein the two dimensional bar code associated with the package is electronically transmitted to the receiver and scanning the two dimensional bar code further comprises:

Scanning a printed copy of the electronically transmitted two dimensional bar code,

However Knowles discloses wherein the two dimensional bar code associated with the package is electronically transmitted to the receiver and scanning the two dimensional bar code further comprises:

Scanning a printed copy of the electronically transmitted two dimensional bar code, [{col.5, lines 48-50} Internet Scanning Terminal] and {col.4, lines 33-43}, electronically transmitted]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate a two-dimensional bar-code for encompassing biometric data, with motivation to improve mail handling through bar code technology.

**As Per Claim 29:**

Priddy discloses the method wherein the biometric information includes data related to at least one of the user's facial features but does not explicitly disclose wherein the two dimensional bar code is applied to the package.

However Knowles discloses wherein the two dimensional bar code is applied to the package, [{col.3, lines 13-16}, URL encoded symbols printed on the pages]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate a two-dimensional bar-code for encompassing biometric data, with motivation to improve mail handling through bar code technology.

**As Per Claim 30:**

Priddy discloses the method wherein the biometric information includes data related to at least one of the user's facial features but does not explicitly disclose: Scanning a second two dimensional bar code that has been associated with the package, wherein the second two dimensional bar code is a digital stamp applied to the package and encoded with sender information.

However Knowles discloses Scanning a second two dimensional bar code that has been associated with the package, wherein the second two dimensional bar code is a digital stamp applied to the package and encoded with sender information, [{col.4, lines 60-67}, scanning printed URL encoded bar-code symbol]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate a two-dimensional bar-code for encompassing biometric data, with motivation to improve mail handling through bar code technology.

**As Per Claim 31:**

Priddy discloses the method wherein the sender information includes at least one of a credit card account number, sender biometric data, destination address, sender address, sender name, digital signature, and meter information, [{page 4, lines 1-10}, articles include, commercial instruments, transaction cards, personal identification].

**As Per Claim 32 and 33:**

Priddy discloses the method wherein the biometric information includes data related to at least one of the user's facial

features but does not explicitly disclose wherein the two dimensional bar code is scanned using a portable scanner.

However Knowles discloses wherein the two dimensional bar code is scanned using a portable scanner, {page 8, lines 61-67}, hand-held wireless laser scanning bar code symbol reading system]. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate a two-dimensional bar-code for encompassing biometric data, with motivation to improve mail handling through bar code technology.

**As Per Claim 36:**

Priddy discloses the method of further comprising:

Transmitting an electronic copy of the two dimensional bar code to the user, [{figure 2B, element 203 and 204}].

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the

art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 11, 22, and 37 rejected under 35 U.S.C. 103(a) as being unpatentable over Dennis Priddy (WO 96/03286) in view of Bianco (6,256,737).

**As Per Claim 11:**

Priddy discloses a method that is associated with the package provided the biometric information but does not explicitly teach or suggest the apparatus wherein the notifier operates via at least one of a cell phone, a PDA, and a two way pager.

However, Bianco discloses in column 11, lines 25-35 that a telephone network, which is connected via modem allows the operator be notified.

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention was made to modify Priddy's method of having a barcode that is encoded with biometric information in conjunction with a system that notifies the operator. Priddy's motivation entails that having a communication means would improve the efficiency of the invention because it will allow the operator to receive

notification by way of a telecommunication means, which additionally verifies the products data and its origin.

**As Per Claim 22:**

Priddy discloses a method that is associated with the package provided the biometric information but does not explicitly teach or suggest wherein the step of the user ordering a package is accomplished via the Internet.

However, Bianco discloses in column 11, lines 20-23, that the Internet is used for transporting data.

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention was made to modify Priddy's method of having a barcode that is encoded with biometric information in conjunction with a system that received data through the Internet. Priddy's motivation entails that being able to transfer data through the Internet would improve the efficiency of the invention because it will allow the user to receive data by way of the Internet, which additionally verifies the products data and its origin.

**As Per Claim 37:**

Priddy discloses a method that is associated with the package provided the biometric information but does not

explicitly teach or suggest wherein the step of the user ordering a package is accomplished via the Internet.

However, Bianco discloses in column 11, lines 20-23, that the Internet is used for transporting data.

Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention was made to modify Priddy's method of having a barcode that is encoded with biometric information in conjunction with a system that received data through the Internet. Priddy's motivation entails that being able to transfer data through the Internet would improve the efficiency of the invention because it will allow the user to receive data by way of the Internet, which additionally verifies the products data and its origin.

#### **Conclusion**

Any concerns in regard to this communication, the examiner **Jon Bass** can be reached at **(571) 272-6905** between the hours of **9-6pm Monday through Friday**. The fax number for the establishment where the application is being process is **(571) 273-8300**.

If an attempt to reach the examiner is unsuccessful for any reason, the examiner's immediate supervisor, **John Hayes** can be reached at **(571) 272-6708**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-271-9197 (toll free).

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
C/O Technology Center 3600  
Washington, D.C. 20231

*John W. Hayes*  
JOHN W. HAYES  
SUPERVISORY PATENT EXAMINER

